

*J. B. J.*  
10/30/01  
T.M.  
Attorney Docket: 1892/47565  
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BUNICHI SHOJI

Serial No.: 09/245,720 Group Art Unit: 3635

Filed: FEBRUARY 08, 1999 Examiner: BETH STEPHAN

Title: A TRUSS STRUCTURE, STRUCTURAL MEMBERS THEREOF,  
AND A METHOD OF MANUFACTURE THEREFOR

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed on or about September 26, 2001, Applicant herewith provisionally elects with traverse claims 1-5 and 8 (I).

Reconsideration of the restriction requirement is requested on the grounds that the Patent and Trademark Office has not set forth a *prima facie* case of independence and/or distinctness. In particular, the Office Action does not demonstrate with sufficient evidence that the inventions are distinct within the meaning of MPEP §806.05(f) in terms of a "materially" different product or process. The statement that the flat section of the connection part may be formed by hammering rather than by a die does not set forth a case of materiality within the meaning of the MPEP.

Accordingly, reconsideration and early and favorable action upon all the claims in this application are earnestly solicited.

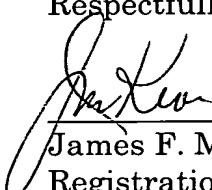
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If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #1892/47565).

Respectfully submitted,

October 26, 2001

  
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